

**UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD**

JENNERSVILLE HOSPITAL, LLC

Case 04-CA-226116

and

SEIU HEALTHCARE PENNSYLVANIA, CTW, CLC

**RESPONDENT'S MOTION TO REMAND**

This case involves a charge filed by SEIU Healthcare Pennsylvania (the "Union") alleging that Respondent, Jennersville Hospital, LLC ("Jennersville") unlawfully withdrew recognition from the Union in May 2018. On May 8, 2019, Respondent timely filed Exceptions to the decision by Administrative Law Judge Arthur J. Amchan dated March 4, 2019, along with a brief in support of those Exceptions. On the same day, Respondent received a letter from the President of the Charging Party unequivocally disclaiming interest in representing the bargaining unit at Jennersville that is the subject of this litigation. A copy of that letter is attached as Exhibit A. On May 9, 2019, the Union submitted a request to Region 4 asking to withdraw the charge out of which this case arises. A copy of that request is attached as Exhibit B. In view of the Union's disclaimer and its request to withdraw the underlying charge, this case is now moot. Therefore, pursuant to Section 102.47 of the Board's Rules and Regulations, Respondent has filed the instant Motion requesting that the Board remand this case to Region 4 so the Region may dismiss this case based on the Union's request to withdraw the charge out of which this case arises.

Counsel for Respondent has conferred with counsel for the Union and counsel for the General Counsel in Region 4 and neither of them have any objection to this request. Counsel for the General Counsel has indicated that Region 4 will process the Union's withdrawal request upon remand from the Board.

Respectfully submitted,

/s/ Andrew J. Rolfes

ANDREW J. ROLFES

Cozen O'Connor

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Attorneys for Respondent  
Jennersville Hospital, LLC

CERTIFICATE OF SERVICE

I, Andrew J. Rolfes, Esquire, hereby certify that on this 13<sup>th</sup> day of May, 2019, I caused a true and correct copy of the foregoing Respondent's Motion to Remand to be served by e-mail and first class mail on the following:

Jun S. Bang  
National Labor Relations Board  
Region 4  
The Wanamaker Building  
100 Penn Square East, Suite 403  
Philadelphia, PA 19107  
jun.bang@nrlrb.gov

Steven Grubbs  
SEIU Healthcare Pennsylvania, CTW, CLC  
1500 North 2<sup>nd</sup> Street  
Harrisburg, PA 17102  
steven.grubbs@seiuhcpa.org

/s/ Andrew J. Rolfes  
ANDREW J. ROLFES

# EXHIBIT A



# SEIUHealthcare.

United for Quality Care

**MATTHEW YARNELL**  
President

**JESSE WILDERMAN**  
Secretary-Treasurer

**LISA FRANK**  
Executive Vice President

**MORGAN LINDSEY**  
Executive Vice President

**SARAH FISHBEIN**  
Vice President

**AMANDA LAPINA**  
Vice President

**CARLOS RIVERA**  
Vice President

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Ruth Visintainer  
Sandra Williams  
Suzanne Woodings  
Scott Young  
Erica Zimmerman

1500 North 2nd Street  
Suite 12  
Harrisburg, PA 17102  
717.238.3030

[www.seiuhealthcarepa.org](http://www.seiuhealthcarepa.org)

SENT VIA EMAIL ([Russell.showers@towerhealth.org](mailto:Russell.showers@towerhealth.org))

May 8, 2019

Russell Showers, SVP, Chief Human Resources Officer  
**Tower Health**

Dear Mr. Showers:

Effective immediately, let this written statement by SEIU Healthcare Pennsylvania, the incumbent labor organization, clearly, unequivocally, sincerely, and in good faith disclaim and sever any interest whatsoever as the certified exclusive collective bargaining representative for the collective bargaining unit employed by Jennersville Regional Hospital.

The collective bargaining unit was certified by the National Labor Relations Board in case number 04-RC-106164.

This collective bargaining unit includes all full-time, regular part-time, and eligible per-diem technical and service and maintenance employees employed by the Employer's facility located at 1015 West Baltimore Pike, West Grove, Pennsylvania, in the job classifications of certified nursing assistant, licensed practical nurse, licensed practical nurse WO, nurse aide, computerized tomography (CT) technician, echocardiograph (Echo) technician, emergency department (ED) technician, electroneurodiagnostic (EEG) technician, histology technician, lab assistant, mammography technician, medical registrar, medical technician, medical technician PRN, medical technician WO, magnetic resonance imaging, (MRI) technician, nuclear medical technician, pharmacy technician, radiology technician, radiology technician WO, respiratory therapist, respiratory therapist WO, scrub technician, surgical technician, surgical technician 1, ultrasound technician, cook, dietary aide, storeroom clerk, and unit clerk.

If there are any questions or concerns feel free to contact me at (717) 238-3030 or at [matthew.yarnell@seiuhealthcarepa.org](mailto:matthew.yarnell@seiuhealthcarepa.org).

Sincerely,

**Matthew Yarnell**  
President

MY:bd

cc: Steven Grubbs, Regional Advocacy Representative (**SEIU Healthcare PA**)  
Alfred J. D'Angelo, (**Cozen O'Connor**)  
Andrew J. Rofles, (**Cozen O'Connor**)  
File (3)

# EXHIBIT B

**Rolfes, Andrew J.**

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**From:** Steven Grubbs <steven.grubbs@seiuhcpa.org>  
**Sent:** Thursday, May 9, 2019 6:57 PM  
**To:** Bang, Jun S.  
**Cc:** Rolfes, Andrew J.  
**Subject:** SEIU Healthcare PA and Jennersville Hospital (04-CA-226116)

**\*\*EXTERNAL SENDER\*\***

Jun,

The Union requests that the Region withdraw the unfair labor practice charge against Jennersville Region Hospital regarding the Employer's withdrawal of recognition of the Union as the exclusive collective bargaining representative of the bargaining unit. Case No. 04-CA-226116.

Please feel free to let me know if there are any questions or concerns.

Best,

Steven Grubbs, Esq.  
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1500 North 2nd Street  
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